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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/787,479	02/26/2004	Richard D. Dettinger	ROC920030330US1	6996

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IBM CORPORATION, INTELLECTUAL PROPERTY LAW
DEPT 917, BLDG. 006-1
3605 HIGHWAY 52 NORTH
ROCHESTER, MN 55901-7829

EXAMINER

HILLERY, NATHAN

ART UNIT	PAPER NUMBER
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2176

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05/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/787,479	DETTINGER ET AL.
	Examiner	Art Unit
	Nathan Hillary	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 20 February 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6,11-15,24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6,11-15,24 and 25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 2/20/07.
2. Claims 1 – 6, 11 – 15, 24 and 25 are pending in the case. Claims 1, 11, 24 and 25 are independent.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 – 6, 11 – 15, 24 and 25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. Regarding representative claim 1, there is no support for “without associating substituted functionality” as recited in lines 10 and 11. Claims 11, 24, and 25 are rejected for similar reasons.

6. Regarding representative claim 2, there is no support for “remain visible while the one or more executable functions are inaccessible” as recited in lines 4 and 5. Claim 12 is rejected for similar reasons.

7. Regarding the remaining claims, the claims are rejected for fully incorporating the deficiencies of the base claim(s) from which they depend.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1 – 3, 5, 6, 11 – 13, and 15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Wiesehuegel et al. (US 20020128949 A1).

10. **Regarding independent claim 1**, Wiesehuegel et al. teach that the network dispatchers receive broker requests for offerings by a proxy server. Thus, the guest brokers may use their web browser personal computers or wireless web browsers, to query the outside database via a computer network such as the Internet (paragraph block 0058), which meet the limitation of **receiving a request for a web page comprising displayable content including user-selectable elements through which a user invokes one or more executable functions**;

Wiesehuegel et al. teach that a web page including a place bid button or icon is sent to the bidder including the information about the products to which he is entitled to bid normally (paragraph block 0067), which meet the limitations of **providing the web page with the displayable content; and parsing the web page to identify the user-selectable elements**.

Wiesehuegel et al. teach that for items which a bidder is only allowed to read as a guest, the bid button is either disabled ("grayed out") and provided with an informational message such as "Sorry, you are not allowed to bid on this item at this

time", or the bid button is removed from the web page entirely (paragraph block 0067), which meet the limitation of **disabling at least portion of the user-selectable elements on the basis of a pre- defined transform definition to produce a re-configured web page, thereby making the one or more executable functions corresponding to the portion of the user-selectable elements inaccessible to the user viewing the re-configured web page without associating substituted functionality with the disabled portion of the user-selectable elements;**

Wiesehuegel et al. teach that for those items to which he is entitled to view information but restricted from bidding, the information (or a subset of the information) regarding the items will be displayed with all bidding actions disabled or with no bidding actions given (paragraph block 0066), which meet the limitation of **returning the re-configured web page for display.**

11. **Regarding dependent claim 2**, Wiesehuegel et al. teach that for items which a bidder is only allowed to read as a guest, the bid button is disabled ("grayed out") (paragraph block 0067), which meet the limitation of **the portion of the user-selectable elements for which the one or more executable functions are made inaccessible remain visible while the one or more executable functions are inaccessible.**

12. **Regarding dependent claim 3**, Wiesehuegel et al. teach that for items which a bidder is only allowed to read as a guest, the bid button is removed from the web page

entirely (paragraph block 0067), which meet the limitation of **disabling comprises removing the portion of the user-selectable elements from the web page prior to returning the re- configured web page.**

13. **Regarding dependent claim 5**, Wiesehuegel et al. teach that a web page including a place bid button is sent to the bidder (paragraph block 0067), which meet the limitation of **the user-selectable elements are graphical user interface elements.**

14. **Regarding dependent claim 6**, Wiesehuegel et al. teach that the guest brokers may use their web browser personal computers or wireless web browsers, to query the outside database via a computer network such as the Internet (paragraph block 0058), which meet the limitation of **the request is issued by a web browser.**

15. Regarding claims 11 – 13 and 15, the claims incorporate substantially subject matter as claims 1 – 3 and 5 and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. Claims 4, 14, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiesehuegel et al. (US 20020128949 A1) as applied to claims 1 and 11 above, and further in view of Keating (US 20020052895 A1).

18. **Regarding dependent claims 4 and 14, Wiesehuegel et al. do not explicitly teach that the pre-defined transform definition is an XSL transform defined for the web page and specifying the portion of the user-selectable elements to be disabled.**

Keating teaches that the prior art teaches that the XSL language permits user to alter and modify XML documents. In particular, XSL consists of two parts including a method for transforming XML documents and a method for formatting XML documents. XSL can also add completely new elements into the output file or remove elements. It can rearrange and sort the elements, and test and make decisions about which elements to display, and a lot more (paragraph block 0008), which meet the limitation of **the pre-defined transform definition is an XSL transform defined for the web page and specifying the portion of the user-selectable elements to be disabled.**

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Wiesehuegel et al. with that of Keating because such a combination would provide the users of Keating with a system and method for generalizing a set of varying number of atomics and/or groups in a hierarchical document structure (e.g., XHTML or XML) (paragraph block 0014).

19. Regarding claims 24 and 25, the claims incorporate substantially subject matter as claims 1 and 4 and 11 and 14 respectively and are rejected along the same rationale.

Response to Arguments

20. Applicant's arguments with respect to claims 1 – 6 and 11 – 15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NH



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